

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HERMÈS INTERNATIONAL and
HERMÈS OF PARIS, INC.,

Plaintiffs,

v.

MASON ROTHSCCHILD,

Defendant.

No. 22-cv-00384-JSR

**DECLARATION OF MASON
ROTHSCCHILD**

I, MASON ROTHSCCHILD, hereby declare as follows:

1. I am an artist, entrepreneur, business owner, and the defendant-appellant in this case.

2. I submit this declaration based on my personal knowledge of the facts and statements contained herein.

3. I own the exclusive copyrights in the 100 *MetaBirkins* digital artworks that are the subject of this case.

4. The *MetaBirkins* artworks are publicly available on the Internet because they are stored in digital files on the Interplanetary File System—a distributed file storage protocol that allows computers all over the world to store and serve files as part of a giant peer-to-peer network.

5. Shortly before the Christmas holiday last month, representatives of the Spritmuseum in Stockholm, Sweden informed me that they would like to display some of the *MetaBirkins* artworks in an exhibition that the museum is planning focused on Andy Warhol and

Business Art and curated by Dr. Blake Gopnik. The museum asked for my permission to do so, and I asked my lawyers at Lex Lumina to communicate with the museum on my behalf in light of the Order of Permanent Injunction entered in this case.

6. This was the first time I have ever had any contact with the Spritmuseum or any of its representatives. I have had no part in planning or encouraging the museum's exhibition.

7. The museum has not provided me with a contract or any other document to sign regarding the planned exhibition. The museum has offered me no compensation in exchange for giving my permission to exhibit the *MetaBirkins* artworks.

8. I have no relationship with Dr. Gopnik aside from engaging him to serve as an expert in this case, which I did through my counsel at Lex Lumina, and they have handled all communications with Dr. Gopnik. As Dr. Gopnik noted in his expert report, he charged a substantially discounted rate for his work because of this case's importance to the public and the art world. Dr. Gopnik's engagement concluded a year ago, and I have had no contact with him since then. In fact, I have personally spoken with Dr. Gopnik only once, in passing during preparation for the trial in this case approximately a year ago.

9. To my knowledge, neither Dr. Gopnik nor the Spritmuseum (or any of its representatives) have any financial interest in *MetaBirkins* or the outcome of this case.

10. I declare under penalty of perjury that the foregoing is accurate to the best of my knowledge.

Dated: January 25, 2024
Los Angeles, California

Mason Aston

Mason Aston p/k/a Mason Rothschild